

*Presented to the House of Commons  
with the authors regards.*

AN

ATTEMPT TO PROVE

THE FALLACY

OF

INFLICTING CORPORAL PUNISHMENT

TO PREVENT OR TO LESSEN

The Commission of Crime,

AND

THE PROPRIETY

OF IMMEDIATELY

RESTRICTING IT TO SLAVE WOMEN ~~ONLY~~,

*Only* BY

THE DECISION OF A MAGISTRATE,

AS PREPARATORY TO ITS EXTINCTION IN WEST-INDIA SLAVE  
DISCIPLINE.

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BY T. W. B. HENDY.

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BRIDGE-TOWN:

PRINTED AT THE GLOBE OFFICE.

1833.



*Presented to the Committee on Education  
of the House of Representatives*

REPORT TO THE HOUSE OF REPRESENTATIVES  
ON THE  
EDUCATION OF THE  
INDIAN TRIBES

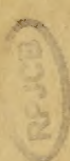
IN RESPONSE TO A RESOLUTION  
PASSED BY THE HOUSE OF REPRESENTATIVES  
MARCH 10, 1855

By the Committee on Education,  
JOSEPH H. R. HARRIS, Chairman.

WASHINGTON:  
GEO. W. WOODWARD, Printer,  
1855.

TO THE HOUSE OF REPRESENTATIVES,  
IN SENATE AND HOUSE REPORTED  
BY THE COMMITTEE ON EDUCATION,  
JANUARY 1856.

As the Committee on Education,  
of the House of Representatives,  
have the honor to acknowledge  
the receipt of the report of the  
Commissioner of Indian Affairs,  
dated at Washington, the 10th  
of January, 1856, and in  
response to a resolution  
passed by the House of  
Representatives, March 10,  
1855, the Committee have the  
honor to report the following  
facts to the House of  
Representatives.





## DEDICATION.

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TO THE HONORABLE SIR REYNOLD ABEL  
ALLEYNE, BARONET; FOSTER CLARKE,  
RICHARD HAYNES, AND ROBERT HAYNES,  
JUNIOR, ESQUIRES.

GENTLEMEN,—From that general and extensive benevolence of mind which characterises you,—and which thinks no condescension too great,—no trouble too fatiguing, by which either pleasure or happiness can be conferred on your dependents,—do I feel confident that whatever appears in the following sheets, which may tend to the improvement of the negro-character, will meet with your warmest approbation and support,—without reference to the source from which the suggestions emanate.

As Barbados proprietors, and, as the representatives, of absentee proprietors, several thousands of slaves in this island have the happiness and good-fortune to



be placed under your mild sway and fostering care ; whose minds, guided by your judicious and humane superintendence, are receiving moral and religious culture,—and than whom I sincerely believe there is not a better fed, better clothed, better housed, more humanely worked, and less rigorously treated peasantry in the whole world.

But, however, much you have contributed to the general improvement of the slaves' condition, in the station to which it has pleased God to call them, there yet remains one insufferable obstacle, which precludes the possibility, so long as it remains, to their future improvement of character. The objects of your care and solicitude, *could not*, if they would, advance in civilization, one step farther, so long as the distinguishing feature in slavery—the owners *sic volo, sic jubeo*, power of inflicting corporal punishment—remains. *This* is the only barrier which shuts you out from the goal, to which your efforts are directed ; the prospect, in perspective, on which your “mind's eye” delights to dwell ; and the reward you anticipate for years of anxious solicitude ;—namely, a moral and religious peasantry, with minds formed



on the *fixed principle* of a *moral* incentive to labor.

Why, then, should the distinguishing and hideous feature remain in the picture,—like the hand-writing on the wall,—to bear testimony against you, and to frustrate your longing desire, when you have, in co-operation with that greatest of innovators, *TIME*, obliterated or softened down, all the other harsh, or unseemly features, in the original? In the following sheets you will find no Utopian scheme of governing advanced. But an attempt to promote the important advantages of a well-regulated discipline on the one hand,—and on the other, to guard against the odious and dreadful consequences of an authority, which knows, and acknowledges no *legal* restraints.

Such are the momentous considerations necessarily connected with the proper *settlement* of this question. Far, indeed, is the writer of these pages, from presuming to lay claim to *this* praise. But he feels his heart impressed by the importance of the subject, and animated with an ardent desire to contribute to the public good, that portion which his experience, on this particular subject, and his small abilities, may permit.



The amelioration in slave discipline which he ventures to recommend, so far from loosening the bands of the variously constituted society of the West Indies,—or, from weakening *that* subordination, without which no government can subsist,—will draw more closely every social tie, and *confirm* more strongly the *obligations* of legal obedience, and the *rights* of *legal authority*. I am sufficiently aware that the alteration, which is recommended for adoption, will not be agreeable, either, to the wild enthusiasts for immediate emancipation,—nor to the servile and tyrannical abettors of arbitrary power. That moderation which flows from the love and the perception of truth, (which commonly lies between two extremes,) is seldom acceptable to the multitude, who, incapable of distinguishing the *use* from the *abuse* of things, are generally as extravagant and impetuous in the maintenance of right, as in the *abatement* of wrong.

It is only the few who have shaken off the shackles of prejudice, dispelled the clouds of passion, and burst from the dungeon in which they confine the soul, that can view and relish objects as they appear in the pure and steady light of



reason, in which nature exhibits them. The eyes of the rest of mankind are either too weak to sustain its lustre, or if they have beheld it for some time, become so much dazzled as to lose sight of the objects which it is designed to unfold to them, and are thus deprived of that direction in conduct, which it ought to afford. Of the truth of this assertion the times in which we live furnish abundant and melancholy example.

But the progress of truth is sure though slow. The human soul is formed for truth and virtue. Error, prejudice and depravity are unnatural states. Superstition and bigotry,—popular frenzy, or despotic oppression, never, never can be destined by the supreme director of the world, to hold a perpetual reign,—because they counteract his wise and benevolent designs. The times in which we live, though agitated with violent convulsions, and marked by striking events, are peculiarly favorable to rational enquiry, and to substantial improvement. The time, therefore, and pains employed in speculations such as are suggested by the important question I now propose to discuss, cannot be mispent, if the subject is treated with any tolerable



degree of accuracy and precision. Even those who fail of success, may still claim the honor of a laudable attempt;—and from men of such judgment and candor, as characterise you, to whom I have the honor of addressing, myself,—are certain of obtaining it. Without trespassing longer on your valuable time, in this address, I shall conclude with an extract from the Earl MULGRAVE's first speech, to the Council and Assembly of Jamaica, at the opening of the first Session, after his assumption of that island's government.

“ But I cannot at the same time avoid expressing to you personally my own anxious desire, that availing yourselves of this opportunity, you will give a patient and favorable consideration to any measures of amelioration, which in your wisdom and experience you may think could with safety be adopted; for important as it is, that amelioration in the condition of the slave should be progressive, the advantage at the present moment of any *effectual* step of this nature *emanating from yourselves*, would be doubly great, extending its beneficial influence over the feelings alike of the lowest individual in this colony, and of the highest authorities



of the mother country. The gratitude of the slave would be due, where it might most safely be directed, to the immediate representatives of his master; and the committees of the imperial legislature would acknowledge with peculiar satisfaction any instance of spontaneous co-operation in the objects of their labors, from such a quarter."

However, in circumstances, changed by Fortune's fickle wind, raised as it was against me by an unnatural combination of elements arising out of the indulgence of a pitiful resentment and a mean revenge, and based on misrepresentation and perfidy unparalleled in the black catalogue of domestic treachery—

"Some villian, ay, and *singular* in his art,  
Hath done me all this cursed injury,"

—the memory of my heart impels me, from the recollection of the many favors that you have gratuitously conferred on me, to DEDICATE the annexed pages to you, and to subscribe myself, respectfully, and in perfect sincerity,

Gentlemen, unalterably your gratefully attached and devoted humble servant,

T. W. B. HENDY LE BALAFRE.

*Parish of Saint Peter,*

*The Hermitage, January 1st, 1833.*



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most easily be directed to the immediate  
representatives of his master; and the  
committees of the imperial legislature  
would acknowledge with perfect satis-  
faction any instance of such a measure as  
operation in the abolition of the slave trade  
such a step.

It is a common error to suppose that the  
first step should be to send the slaves to  
the colonies, and to suppose that the  
colonies are the best place for them. It is  
not so. The colonies are the worst place  
for them. They are the worst place for  
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THE BARRISTER, JANUARY 1813.



"Among a people hardly yet emerged from barbarity, punishments should be most severe, as strong impressions are required; but in proportion as the minds of men become softened by their intercourse in society, the severity of punishments should be diminished, if it be intended that the necessary relation between the object and the sensation should be maintained. That a punishment may not be an act of violence of one, or of many against a private member of society, it should be public, immediate and necessary; the least possible in the case given, proportioned to the crime and determined by the laws."—BECARIA.

"Experience shows that in countries remarkable for the lenity of their laws, the spirit of the inhabitants is as much affected by slight penalties, as in other countries by severer punishments."—MONTESQUIEU.



THE  
JOURNAL  
OF  
JAMES  
MILN  
1841

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THE  
JOURNAL  
OF  
JAMES  
MILN  
1841



AN ATTEMPT, &c. &c.

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Whoever attentively considers the state of society in the British West India Islands and Colonies at this moment, and compares the present ameliorated condition of our slaves, with their state twenty-five years ago,—as regards their physical wants, their moral culture and the dawning of the gospel's light on their, of late, benighted minds,—will admit unhesitatingly, that public opinion, in this hemisphere, must necessarily have undergone material change and considerable improvement to have produced these humane and beneficial results. To the extinction of the abominable and inhuman traffic in man, are to be traced these consequences in the cause of suffering humanity ;—so consolatory to the best feelings of our nature. As long as savage man was imported from savage Africa to recruit the gangs of the planters, so also



were the vices and brutalities of the African character brought and engrafted on the comparatively few creole slaves, reared, at that period in the Colonies. Hence arose the supposed necessity of passing for their subjection and government those severe, and in many instances, cruel enactments, which were the disgrace of our statute-book, but which had become obsolete and were fallen into desuetude long previously to the more prudent repeal of them by the colonial legislatures. The abolition of the slave trade had the immediate effect of improving the physical condition of the slave population. The supply of African labourers being cut off, by the abolition of that infernal traffic, the planters naturally turned their attention to the breeding of them; to effect which, more food and raiment were bestowed on, and less labour exacted from the slaves.

From the period that the native supply of African pollution ceased, is to be dated the operation of those moral causes which have elevated the planters in the scale of humanity, and which have also extended their beneficial influence in a corresponding ratio, to the previously brutalised sons of



Africa and their descendants in the British West India Colonies. "By moral causes, I mean all circumstances which are fitted to work on the mind of man as motives and reasons." Thus have arisen those sympathies between master and slave, which have grown out of the breeding system. For as the planters, *since the abolition*, have shewn greater *personal* attention to their infant and adult dependants, so also have the latter recollected and acknowledged with gratitude, in more advanced age, the life preserving cares, bestowed by the proprietors and their representatives, during the helplessness of early life. In this way have the asperities of the unequal conditions of their relative stations been smoothed down, and as the master has learned to cherish and love his slave as his friend, so also has the latter been taught by the generous impulses of unerring nature to regard him as his and his children's protector and benefactor. The white population of Barbados is much more dense, compared with the slave inhabitants, than is that of any other Island or Colony in the Western Archipelago. This circumstance, by more generally diffusing the charities of hu-



manity, easily accounts for the superior intelligence and morality of the slaves in this Island. The intercourse, therefore, between the whites and their slaves has lost in the generally diffused feelings of affection and kindness in the one party—and of respect, attachment and good behaviour in the other, (the slaves), that rigidity of discipline which, perhaps, may have been indispensably necessary to the maintenance of social order, up to the period that by the abolition of the slave trade, the West Indies ceased to be deluged with the pagan vices of imported Africans. Since this great sin of sins has been abandoned, the Africans' descendants (the creole slaves), in their intercourse with their superiors, have learned to appreciate the virtues and moral habits which elevate the character and confer dignity on their possessor. And as man is an\* imitative animal, they have in contemplating the virtues of their civilised and educated superiors, lost the

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\* The elegant apologist of the STEWARTS has remarked "the human mind is of a very imitative nature, nor is it possible for any set of men to converse often together without acquiring a similarity of manners. If we run over the whole Globe, or revolve all the annals of History, we shall discover *every where*, signs of a *sympathy or contagion of manners*."



primitive features of their original barbarism, and have attained a grade in civilisation, from which man was never known to retrograde, except under the baleful oppressions of a withering Despotism. The next cause in succession to the exclusion of savage Africans, as recruits for the planters' gangs, which has operated to elevate the negro character, is the increased respectability in talent and character, of the managers of estates. "In the olden time," this class of men was generally taken from the dregs of the people ;—consequently, like all men in the same grade, in all communities, they were generally uneducated, ignorant, self-willed, and in too many instances cruel, acknowledging no rule of governing those over whom they were placed in authority, but the strong arm of power ; using no incentive to good behaviour, but the terror of excessive punishment, and no stimulus to exertion but the cowskin's lash. "The pride of man makes him love to domineer, and nothing mortifies him so much as to be obliged to condescend to persuade his inferiors." To the unrestrained operation of this feeling, which, perhaps, is inherent in man, and is only to



be governed or eradicated by education and reflection, may be traced the severity of the discipline described above. That there were some honorable exceptions, I willingly admit. Having in truth been compelled to state these facts, with equal sincerity I bear testimony to the altered and improved mode adopted for some years past, by the managers of estates and owners generally, in the discipline and demeanor exhibited towards their slaves. By general consent the cow-skin was expelled, before the law prohibited the use of it, and a cat substituted,—not such an one (with nine tails) as is in use in our army and navy, for the flogging of free born British subjects, who fight their country's battles,—but one of three or four tails. And even this modified instrument of correction, is not applied at this day, but to chastise those ardent spirits in our gangs, on whom, by experience, milder punishments have failed of their intended effect. Indeed, so rarely is corporal punishment inflicted in this Island, at this date, and generally so moderately, that I am of opinion, after mature reflection and knowledge of the negro character, and of all circumstances connected with



him, which the experience of twenty-six years of actual employment and superintendence of him, have afforded me, that the time has arrived, which makes it to be the interest of the planters to yield up the right (as recognised in law) they possess, as slave holders, to inflict of their *own will* on their delinquent slaves, even the slight floggings they now do. We should not only satisfy our consciences that we are humane in the treatment of our inferiors and dependants, but, in worldly prudence, we should make it so apparent to the world, as to be undeniable, and be, like CÆSAR's wife, superior even to the suspicion of wrong doing. With this conviction on my mind, as a slave owner, I ardently desire that by an act of the legislature, I may be relieved from the responsibility and pain of exercising my discretion, in the inflicting of corporal punishment on my slaves.

Whatever degrades man cannot be beneficial. The intent of punishment is not to torment a sensible being, nor to undo a crime already committed. The end of punishment, therefore, is no other than to prevent the criminal from doing further injury to society, and to deter



others from committing the like offence. Is this end obtained by corporal punishment? Certainly not. For a man who is flogged, is debased in his own estimation, and loses that self-respect, the abandonment of which qualifies him for the perpetration of the most infamous actions. Such punishments, therefore, and such a mode of inflicting them, ought to be chosen, as will make the strongest and most lasting impressions on the minds of others,—with the least torment to the body of the culprit. In the British army and navy, soldiers and sailors are flogged for offences, for the committing of which in the French service they are shot. In the latter, apparent severity, there is not only policy but mercy; it is good policy, because it fixes the principle of honour in the soldier's breast, by proving to him, that as his *superiors prefer death to dishonour*, so also do they prefer losing a man, to having a disgraced comrade in their ranks; and as the minds of men (as a fluid rises to the same height with that which surrounds it) acquire by sympathy or contagion of manners the sentiments of their associates, thus becomes transfused into the soldier's breast the principle of honour, based on the



dread of shame, which nature has given to man for his scourge. The relative consequences of the two practices, are easily traced, as they are developed in the two services. In the French army, the capital punishment of death is rarely inflicted, because rarely deserved. In the English service, the soldier who is once flogged (for an offence I will admit which would cost a French soldier his life) goes on transgressing against the articles of war, and continues to be flogged for each succeeding offence, till custom and familiarity reconcile the mind to it, and the ear hears the low-suppressed groan of extenuated anguish without conveying a pang to the heart, and he is shot eventually to get rid of a fellow who has become\* *good for nothing*, from the shame destroying effects of repeated lacerations, by which spectacle the feelings of his comrades become blunted and their imaginations accus-

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\* The following Erin reasoning, in support of flogging in the army, of an Irish soldier, with whom I had been conversing on the subject, will illustrate my argument. By Jasus Sir, he exclaimed, we ought to pray for a flogging as soon as we 'list; for as soon as we get it, we goes on deserving another, 'till we gets that, and so at last they shoot us dead, dead, and then we say, plase your honour we are aisy for life.



*tomed to the infamous punishment, until their minds are corrupted.* This predisposing cause conduces to operate the depravity and ruin of many poor fellows, until death, by shooting, terminates their sufferings eventually. In the English and French army and navy, the principle of honor is the propelling principle of action, which produces so many heroic acts of self-devotion in battle among the officers. In the French service, this sentiment, as described above, is transfused into the ranks, and by contagion spreads through them. Hence the high toned feeling and elevated bearing, which carry many a private to be *chef de bataillon*, and some of them to the rank of Field-Marshal. In the English army there are very few instances of men rising from the ranks compared with the French, and no instance, that I know, of an individual grasping a Marshal's baton; because the British soldiery form a caste, distinct in their country's service, and their distinguishing mark is impinged upon their backs with the cat-o'-nine-tails. But I venture to predict, without pretending to the gift of prophecy, that this brutalising stimulus, of German origin, will ere long be consigned to the "tomb



of all the Capulets." The French discipline is merciful, because, in its *effects*, it is the *cause* of fewer deaths, than is the flogging system—and also because it is more merciful to shoot a man before the moral sense is dead in him, than to annihilate it first by debasing and brutalising him, and eventually to send him into eternity with the consciousness and conviction of his leaving behind him the demoralising example of reiterated turpitude; and therefore is it that I agree with the Greek Tragedian,—

——— Were all like thee to perish  
Who violate the laws, 'twould lessen much  
The guilt of mortals, and *reform* mankind.\*

It is not to be inferred, however, from my making this quotation, that I am an advocate for punishing crimes with the severest pains we are capable of inflicting, but to strengthen my argument by the authority of an ancient writer, who distinguished himself not only as a poet but also as a statesman,—that a severe,

\* The elegant translator of SOPHOCLES does not appear to me to have translated this striking passage with his usual spirit. Perhaps the Latin version may convey more strongly the Poet's meaning.

*Deceret autem omnes illico has pœnas dare  
Quicumque contra leges quidvis agere studet*



in preference to a *shameful* and *ignominious* punishment may often be very reasonable and proper. My object for contrasting, in this pamphlet, the discipline of our army, with that of the French, is to prove to my countrymen *particularly*, and to West India proprietors generally, —firstly, that corporal punishment is *not* necessary to the maintenance of the strictest discipline,—and secondly, that it is a debasing punishment which, by its demoralising effect, *causes an increase of crime*. I am certain that on these impressions being made on the warm-hearted, sensitive and humane colonists, they will see the propriety of cordially uniting to regulate *by law*, the infliction of corporal punishment on their slaves under the following, or some other regulations, preparatory to the extinction of it, which, I am bold to assert, will be accomplished, at no very distant period, by and with the willing consent of a large majority of West India planters. I propose, therefore—

That a law be passed immediately to limit the infliction of corporal punishment, except before magistrates and *by their decision*, to males who have attained the age of eighteen years,



and to infant girls. In law, all children, who have not attained (I believe) or exceeded fourteen years of age, are styled infants.

That on an offence being committed by a slave of the respective age above named, the owner or his representative, for the time being, under whose direction such slave may be placed shall make complaint of the same to one or both of its parents, or if it be an orphan to the next of kin, of either sex, or if he be without family, the owner or manager shall nominate a slave to act instead.

That the nature of the offence, in all its bearings, be fully explained by the complainant, to the culprit's relations, who after hearing the same shall name the castigation that in his or her opinion the said offender deserves to receive for that particularly charged offence—subject and liable, however, to the final regulation of the complainant, under the following restrictions, viz. :—if the number of stripes so ordered, shall appear to the owner, or his representative (the complainant) more than the offence demands, that he be authorised to remit any portion or the



whole number of them; if on the contrary, the number of stripes ordered by the elders, be deemed inadequate in the owner's or his deputy's opinion, then he may in his discretion and judgment, cause the said delinquent to be confined, *solitary* and *not otherwise*, in a healthful room, for any space of time, not exceeding fifteen days, and when there, to be supplied with three full meals daily, as is generally done, but of the plainest and most wholesome food, which the plantation, or small planter's place may afford, and also with plenty of pure water \*

The punishment of flogging should be inflicted by the parent or other relation awarding it. Females should be corrected only by females, and in no case shall more than one rod be used, and on the former, upon her shoulders. A male offender, during infancy, i. e. until he is fourteen years old, may be rodded on his posteriors—*a la* Dr. B. of charter house celebrity, but after that age it should be applied over his shoulders. The number of stripes inflicted in domestic discipline, should not

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\* I write pure water, because, if allowed so to do, their friends would furnish spirits in abundance.



exceed two dozen to the males, and one dozen to females, for one offence. By confiding to the relatives of the offender the power of directing and inflicting on the juvenile delinquents, the sentence (by flogging) of the law, two objects are gained, viz.

The irascible in authority are prevented during the first moments of irritation, from inflicting a flogging disproportionate to the offence, of which, on mature reflection, they would disapprove, as I have known to be the case with not only slave owners, but also with others who teach the "young idea how to shoot," as alas! many a luckless wight of a school boy can attest, from sore recollections of what has happened to him *a posteriori*. And also, because by the owners' appeal to the elder branches of the slaves, the punishment may be made more formal and imposing, and by giving it the dignity of a judicial proceeding, the lictors will become vain of the distinction which approximates them, however distantly, in power to the Magistrate—become elevated in their own estimation, and ambitious to be thought well of by their superiors, from the justice and impartiality of their decisions.



Thus,\* ambition and vanity, two, perhaps, of the most active incentives to virtuous actions, will be put in operation, for the further improvement of the negro character.

It will also keep in check, and correct eventually, what the best of men may be subject to, an occasional burst of passion that might prompt to hasty measures, which in calmer moments, they would regret. I would recommend that it be left to the option of the owner of slaves to pursue the above recommended course of discipline, with all his *male* slaves, or to appeal to a magistrate, if he think proper, to punish with the cat, as the law now directs, any *man* slave, whom he may suppose deserving of a greater punishment than the domestic discipline authorises him to inflict.

I do not deem it expedient at this stage of improvement, to exempt by law, the female slaves entirely from corporal punishment, by the *decision* of a *magistrate*, because, *as yet*, they possess too

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\* *Tolle ambitionem et fastuosos spiritus, nullos habebis nec Platonēs, nec Catones, nec Scævolas, nec Scipiones, nec Fabricios.* Take away ambition and vanity, and where will be your heroes and patriots.—SENECA.



much of the amazonian cast of character, nor have they more delicacy than those English women possessed in my Lord COKE's day, who were permitted, by that Leviathan of the law to be chastised with a sapling or something else no "bigger than a man's thumb." I am aware that this class of slaves is the most difficult to keep within the limits of "*bonos mores*." This arises from their having up to this period, but little feeling of *self respect*, and is a sufficient reason for endeavouring to give them a higher tone of humanity and for exalting in them the moral sense. To effect this *we must desist from flogging them*. The most frequent cause of punishment arises, *amongst them*, from their ungoverned violence of temper, which exhibits itself, occasionally, in conflicts, *a la Mendoza*. When this occurs, conduct the amateur disciple of the "noble art of attack and defence" into a penitentiary, after receiving a sufficiency of cold water on the head to moderate her temperature—there "let concealment feed" on her ebon "cheek," until passion has subsided. The morning after she is calm; let her be habited in man's attire—cu-



*lotted*;—place on her head a cap made of sheep or goat skin, with the hair turned outwards, with a long white (grenadier) feather in it, and have a queue of horse hair, made after the fashion of the tailed Frenchman's under the old regime, appended to the back part of the cap, a long wooden sword at her side.—Thus accoutred, let the heroic damsel, who has surmounted the breeches, take the field; the more grotesque her appearance the better, taking care that after the field parade is over, at noon and night, that she be placed in a penitentiary “where pensive contemplation dwells,” and lonely musing on her deeds of arms, misdeeds or woman's frailties, she might, perhaps, like CÆSAR, compose commentaries, and probably will discover that prudence is the better part of valor, resolve to be less pugnacious and more prudent in future. For a second offence of this nature, in addition to her *costume militaire*, let her be shorn of her woolly locks. For other offences, I would substitute for the military cap,—in the place of her smartly “cocked” head-gear, made up *a la Turque*,—a white cap made plainly, but in cut and fashion resembling that which is worn by wi-



dows, to make their faces *appear* lamentable, in the "pale cast of thought," in which I am sure it will be admitted, they succeed to their *hearts'* content. I also recommend as a *sine qua non* in plantation discipline, that solitary confinement should *always* be consequent on corporal punishment, for a term not less than one week. From experience I affirm, that the delinquent who receives corporal punishment, and is permitted to join his gang immediately, very frequently during the excitement he is under, exhibits by gestures, if not by words, his contemptuous daring of his master's authority, which I have known repeatedly to lead to and produce acts of insubordination in the most volatile and unthinking of his associates. Another object gained too, by imprisonment following castigation is, that by imposing *the two*, for the *same* offence, fewer stripes (if they be *supposed* indispensable) will be found efficacious; and that at no very distant period, we may reasonably conclude, that flogging with the cat, will be proved to have been an unnecessary severity, and like the cow-skin, its predecessor, be cast away by the planters, *before* legislative enactment shall abo-



lish the application of it. And thus will improvement in manners, as it should, precede legislation. I am aware that there are many good men who devoutly wish for this consumation, but who sincerely believe that corporal punishment is an indispensably necessary ingredient in West Indian discipline. But this is a prejudice of our forefathers, handed down by them to us, born of ignorance or of pride, nourished by custom and habit, strengthened by an imaginary interest, and which can only be supported by that self-love which is humbled by the exposition of it. Custom and fashion have every where established arbitrary rules and forms, which, however contrary to reason, it is considered as unlawful, at least, as highly ridiculous, to impugn or infringe. The truths of discipline, like all other truths, are discovered only by trials and experiments. Even the moral sense is formed by *time and experience*, and is not born with us. If a certain manner of exercising our faculties, a certain manner of *acting*, had not been found by experiments, to have made us happy, and a different manner to have made us unhappy, we should never have had any *principles* of morals.

I am aware of the high degree of difficulty in questioning opinions established by habit and consecrated by time; but still I venture to predict, that the less the cat is used, the seldomer it will be required; and that it will fall into desuetude altogether, and the necessity for using it will be admitted to have passed away, when *solitary* confinement is substituted and adopted in its *stead*, and its efficacy, thereby, fully tested. In combating this prejudice, the supposed necessity for retaining corporal punishment in plantation and domestic discipline, I have treated it with respect, by recommending the continuance, at *this* period, of corporal punishment, under certain limitations and restrictions—because, like the doves from the ark, we ought to send *some* truths on the discovery, to see, if the deluge of prejudices, does not yet cover the face of the (W. I.) earth; if error, on this subject, begin to subside; and if there can be perceived *here* and there, some Isles, where truth, justice and mercy may find rest for their feet, and communicate themselves to mankind; and *in the hope*, that Barbados, the garden of the Antilles and “little England,” as she is distinguishingly styled



by Europeans, *may be*, the first to set the example of this mitigated discipline, by legal enactments, as consequent on the mild correction which is, in general, established by usage, on the Island, by the practical humanity of its planters. Putting humanity out of the case, on the principle of utility, and as a matter of good policy, let us endeavour so to elevate the moral sense in the slave's breast as to render him susceptible of those incitements to good conduct which impel and operate on West India proprietors and on the *mass* of mankind.

In proportion as punishments are cruel and debasing, the minds of men grow hardened and insensible. That a punishment may produce the effect required, it is sufficient that the evil it occasions should exceed the good expected from the commission of the crime;—including in the calculation the certainty of the punishment and the privation of the expected advantage. All severity beyond this is superfluous, and whatever is superfluous in discipline, is tyrannical. Severe punishments also occasion impunity. The infamy attached to corporal punishment by free men who are not *trained* up in the habit of direct-

ing\* them is, in their eyes, the severest part of the punishment. But as the power of opinion grows weaker by repetition, the *infamy* at last, becomes the least distressing circumstance to the parties concerned ;—those who inflict and those who receive the castigation :—for the infamy of one resolves itself into the infamy of many, and the infamy of many, *by its diffusion* is considered the infamy of none.† Therefore the punishment, by infamy, as a *mark* of public disapprobation is lost as an example,—only peyorating all within the sphere of its deleterious influence. It is this disqualifying process which makes “ *an English labourer with one shirt worth,*

\* Habits, especially such as are acquired *early*, come at last to produce *actions* in us, which often escape our observation.—LOCKE.

† This is, but too often, exemplified when party spirit runs high in a community, or when the magnates of the land agree on a man-hunt. However infamous or cruel, the means resorted to and used, may be, of annoying or ruining an opponent, the partizans of the man who employs them, are sure to approve,—provided the filthy spattering sticks, or “the game is run down,”—whilst the dirty yahoo is lauded for his dexterity in *daubing* by his grinning fellows, and the modern Nimrods, tally-ho’d on their victim by their dependent *canaille*, are ready to obey the pious whisperings of any hypocritical Jesuit, and as DRYDEN says,

This side to-day,—to-morrow t’other burns,

And they’re all—Gods—almighty in their turns.



body and soul, ten negro slaves, choose them where you will. But it is nevertheless a certain truth that the slaves in general do labour much less, do eat and drink much more, have much more ready money, dress much more gaily, and are treated with much more kindness and attention, when sick, than nine tenths of all the people of Great Britain under the condition of tradesmen, farmers and domestic servants." So writes an educated and talented Englishman\* from personal observation of ten West India Colonies.

The question which naturally presents itself at this stage of the argument is,—if the *physical* stimulus is abolished, what means should be adopted to impel the indolent and careless West India labourer to perform his proportion of his daily task or "work," fully, correctly, and therefore to the satisfaction of his superintendent?

Education, which has commenced, will *originate* the *moral* stimulus, in the *absence* of the physical one. But time, and the accession of ideas to the slave, are required to perfect it.

The other incentive which will operate

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\* Vide COLERIDGE'S "Six Months."

*immediately*, after it is indulged, is the slave's natural (in common with all men) appetite for food—his *goût* for higher seasoned food than he receives at this time from his heavily burdened master. It is necessary for the happiness of man, that pleasure should be the *reward* of *moderate* labor. But, to overcome the natural dislike in man to labor,—what is necessary?—a motive;—and of all others that of hunger is the most powerful and the most general. It is this that causes the savage to hunt and fish in the forest and stream. A want of another kind animates the artist and man of letters: the desire of reputation, of the public esteem, and of the pleasures they represent. One of the principle causes of the ignorance and sloth of the Africans is the fertility of that part of the world, which supplies almost all necessaries, without culture. In the West Indies, *moderate* labor supplies man with all the necessaries of life, and under the scientific control of educated men, skill, dexterity, and judgment, in the application of it, produces also its superfluities and luxuries. In the present state of our slaves, their labor procures for them all the necessaries of life, and many of



its comforts, to which their *wants* are limited at this period. Let us encrease their wants artificially, and we shall enlarge the motive to labor, by encreasing the desire to satisfy them. In proportion, therefore, as we extend the range of the negro's enjoyments, and elevate his wishes to the desire of gratifying as many wants as possible, so shall we instil into his mind an aversion from the indolence of savage life. The slaves generally have already a strong desire to dress themselves in finery. This disposition cannot be too much encouraged, as it evinces the possession of that feeling, *self respect*, which in savage man is the *avant courier* of civilization. As a substitute for the whip in the field, I propose that every slave of the age of 18 years, shall receive weekly, and on Saturdays,\* one

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\* There are 800,000 slaves in the British West Indies, of which number, I estimate 200,000 would, under this regulation, consume weekly 1,000 lbs. of salted beef or pork, on an average worth, £3 sterling a barrel, but I will put it down at £150,000 sterling annually. This money, paid by the planters to the Irish, for their beef and pork, in the *first instance*, would benefit Ireland by the export of these articles; *then* by increasing, to *this amount*, the Irish ability to purchase sugar, would increase the demand for it to the like amount, and *thereby* enable the planter to provide it. And lastly the duty paid on this increased consumption of sugar, would add to the revenue of the *mother country*, in the ratio of the quantity so purchased.

pound of salted beef or pork, in addition to his present allowance of fish, on condition that he or she have performed the whole of that week's labor, as to quantity and the perfect manner of executing it, to the satisfaction of the overseer in whose gang they may be at work. But on a slave being absent without leave, or for the non-performance satisfactorily of his task, that for each and every day's default three ounces of said rations of beef, or pork, and fish, be deducted, and instead of receiving his *pécule* of daily allowance of undressed food, that a breakfast and supper be dressed for him, in addition to the dinner (which is already provided for him,) on the day or days of his lazy or slovenly execution of the work; and also that he be confined solitar~~y~~ at noon and at night during the time that he continues, as described above, to deserve it; *punishing slightly but certainly, being the best rule to go by.* I propose also that slaves who have attained the age of 18 years, in addition to their present, clothing provided for them by their masters, be presented also ~~to~~ them with any article of dress, half

Thus would this charity more than thrice bless--those who gave--and those who received it.



yearly, to the amount of half a guinea each, who have, during the preceding six months, so conducted themselves as not to have been punished, in any way, by order of a magistrate. To enable the planters to do this, however, a reduction of the war duty to the 12s. 8d. peace duty, of 1793, is an indispensable requisite. In the present state of the slave owner's exhausted resources, occasioned by the high pressive operation of a war duty, acting on the *peace* price of his staple commodity, which weighs down all of us from the large landed Jamaica or Demerara proprietor, who makes a million or more pounds of sugar annually, to the once independent—alas! *quantum mutatur ab illo?*—but now lowly sunk and impoverished “ten acre man” of Barbados,—*any* addition to his expenditure cannot fail; but to accelerate the ruin that now yawns around and encompasses him, and which threatens his extinction as such. This is the only reasonable or weighty objection which presents itself to my mind to the slave-holder referring, —as I have recommended in these sheets,—to a magistrate to punish, under the authority of the laws, his refractory or criminal slave. The time was, when

gentlemen of fortune and leisure to spare, discharged the duties of a magistracy in this island, without taking fees of office for so doing; but as MOLIER's *Sganarelle* observes,—*Nous avons changé tout cela.* Vide MALTHUS and others.

“ The greater cantle of the world is lost,  
 ————— We have kiss'd away  
 Kingdoms and provinces.”

Circumstanced as most of us are, now, the time devoted to the discharge of magisterial duties, must of necessity be paid for. To enable the slave owner to do this I propose that in the bill which may be originated for regulating the domestic and plantation discipline of our slaves, and for referring the punishment of certain offences, at the discretion of their owners, to the authority of the laws, that its provisions shall be in operation when and after such time as the British Parliament shall remit—say 11s. of the—present war duty on our sugars, to enable the planter, by ~~that~~ encreasing his means, (the *nett* profit of his account sales,) to carry into effect the provisions of said act. The limited space I have assigned to this pamphlet, precludes me from saying more on the subject of



continuing the war duty on West India sugar,—which was not felt at the period when an enlarged and overstretched paper currency was spread over the kingdom, raised the *price* of all vendable commodities, and created *per se* a bloated and unreal image of prosperity,—than to observe, that in justice and policy it ought to have been reduced to its peace maximum, when PEEL'S metallic currency bill, in 1820, narrowed the circulating medium to its “healthful state,” thereby tumbling down the war-paper prices and exhibiting the hitherto supposed golden image—(*risum teneatis*)—*paper money*, in all the naked and disgusting deformity of a wrinkled witch :

“O, this *false* soul of England ! this grave charmer,  
Whose bosom was my crownnet, my *chief* end,  
Like a right Gipsy, hath at *fast* and *loose*,  
Beguil'd me to the very heart of loss.”

His Majesty's Ministers promised substantial relief to those West India Colonies which shall adopt the Order in Council, of ~~the~~ 2d November, 1831. Let us then test the sincerity of my Lord ALTHORPE and of his colleagues in Office, and adopt as much of the Order in Council as we can, *consistently with justice and policy*. I have carefully ex-

amined that favorite bantling of Mr. STEVEN's and Lord GODERICH's protégée, the Order in Council, and conscientiously believe that the regulation, by law, recommended by me, of the slave owners "*sic volo, sic jubeo*" power of inflicting corporal punishment, will do more to prevent the wanton and capricious abuse of his authority, and at the same time, *confirm and consolidate* his power, by causing what he retains of it to be more respected by the slaves, and the influential in the mother country, than will any other measure, or the adoption by the planters, *in toto*, of that ricketty and still-born abortion. To the disquisition of the subject under present consideration, I carried a mind prepared, to hail with satisfaction, and to acknowledge with candor, its beneficial enactments. But these in truth and sincerity I affirm to be confined to the following clauses: Firstly, the abolition of the Sunday Market; in this Island, and I believe, all through the B. W. Indies, this already has been effected by the colonial legislatures of the chartered Islands, and is become "part and parcel of the law of the land;" deriving no advantage, of any kind whatever, from



the non-observance by the slaves of the sabbath, their owners have, here, and I believe any where, not only prohibited by law the violation of the Lord's day, but, also are uniting their efforts to the indefatigable exertions of the Lord Bishop of this diocese and his clergy, to induce their dependents to attend divine worship, to be married, and to become christians, *inwardly and practically*, as well as by the visible and outward sign: 2ndly, the admission of slave evidence; this is also recognised and admitted in our courts of law, having received the sanction of the Island's Legislature: 3dly, the clause which prohibits from punishment, until 24 hours after the offence, is founded on a knowledge of the frailties of man, and is humane and politic; and 4thly, the abolishing of "the cat, the whip or other instrument for coercing labour." All the rest of this, to the colonists, offensive and irritating "Order," is useless, unavailing and unnecessary to the slaves, abounding in puerilities, or mischievous vexation, and ruinous to his owner. The regulation it enjoins as to the allotment of land to the slave, of one day in the week, to rear food for his consumption, as is, and can be

done, beneficially, perhaps, to him and his owner in some of the other islands, if adopted in Barbados, would send the poor fellow to bed, or, on a burglarious errand, oftener with an empty than a full belly ; and in seasons of long drought to which this Island is by nature predisposed and very subject, by reason of its little elevation above the sea—famine would ensue ; two-sixths, at least, of the productive agricultural labor in Barbados, being required and is expended, to provide food for its dense population. The abolition of the cat, whip, or other instrument for coercing the slaves to labor, is a desideratum in West India discipline. As *this* sort of compulsion is the characteristic attendant on and distinction of West India slave-labor, so also is it the most *repulsive* feature in slavery. The question, therefore, now is,—what is the most effectual mode of rendering it unnecessary ? Obviously by substituting, as powerful, but less repulsive and more *palatable* motive to labor, as I have suggested in the preceding pages of this work ; aided and assisted, however, by and with *solitary* confinement. The system of slave discipline should be modelled strictly (with the ex-



ception of corporal punishment) on military surveillance, punishing slightly but certainly, *all* offences. This course of discipline practised on and experienced by the infant slaves, under the restrictions I have recommended, would so form their characters to caution as to make it *habitual* to them to be cautious in puberty. The most common offences committed by Barbadian slaves, arise from carelessness and not from confirmed villainy. In fact, very many of them are but\*

*d*  
“Beared children of a larger growth.”

I insist and earnestly recommend the

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\* The two great and prolific sources of *crime*, are the free use of ardent spirits, in which the slaves indulge, and the facility, with which stolen goods are disposed of by them, to the numerous receivers of these contraband articles—called hucksters. Canes, sugar, lead, copper, iron, new and old nails, in fact, everything produced or used on a plantation or *elsewhere*, the worshipful company of “Cadgers” receive, from the slaves, and in return, give a mere trifle in money, “flesh,” fish, or rum, to the manifest demoralization of *all* who participate in this illegal traffic. On the conviction of a “Cadger” for receiving stolen goods, in barter or purchase, a little exercise on the “honest tread mill,”

“*Labatur in omne volubilis ævum,*”

in his progress to imprisonment, would, I should suppose, prove a good rock step to Cadger’s future advances in this way. I am of opinion, that the planters would benefit very considerably, by converting but a very small portion of their molasses into rum. The slaves are the great consumers of “kill-devil,” as rum was denominated in old

adoption of *solitary*, and only solitary confinement, because, when more than one offender is placed in confinement in one room prisoners for every variety of offence are so mingled as to make it more a place of merriment and of convivial enjoyment than of reflection; while instead of the prisoner's principles undergoing *reformation* they become more and more *corrupted* by the recital of larcenous adventures, and exchange of larcenous opinions. After leaving prison\* too, the

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Ligon's day, but a little reflection on this subject, will demonstrate, that the revenue raised from this source, is, in every country obnoxious to cogent objections. For although "kill devil," give him fair play, will lay low Beelzebub himself, yet he also exercises the power of converting his worshippers, (*cum ore aperto*) into fiends and thus his work, of exorcising the evil spirit, is Sisyphean—never ending—eternal. The bill which was passed for the purpose of suppressing smuggling, particularly *ardent spirits*, is a complete failure. It is evaded by the smuggler's measuring out their spirits to the purchaser, by the gallon, instead of delivering it in their own "*packages of any kind whatsoever*" as the law has it,—and the honest, conscientious smuggler, takes the "custom-house oath," *satisfied*, with measuring his conscience by the gallon, and laughs at the attempt to restrain it by law. But for the importation, by smuggling, of foreign spirits, a diminished quantity of home made spirits might be raised in *price*, to a full remunerating value, (like the Dutch East India company's spices), and this smaller quantity drunk by the slave, would keep him *steadier* on his "march of mind," than his present advance at full charge, allows him to proceed with.

\* On an estate with 200 slaves, six cells or penitenti-



individuals who have been thus associated, recognise each other as fellow-sufferers, and become fellow-labourers in their future depredations in the extensive vineyard of general iniquity.

To arrive at a more agreeable or more honorable station, the faithful discharge of the duties of a present one, ought always to be the first means employed. At whatever period, therefore, emancipation may be conferred on our slaves, none should be allowed to avail themselves of it, who had not for two years previously, maintained an irreproachable character, of which presumption is to be inferred from their not having been flogged before a Magistrate, to ascertain

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ries, will, I should suppose, be sufficient. Each room should be 10 feet by 5 in the clear. Two parallel walls five feet distant, 4 thick at the base—16 inches at the top and 7 feet from the ground floor, arched over and of any length, according to the number of rooms required, will be found to be the cheapest mode of erecting these penitentiaries. There *should* be a "bulls'-eye," fixed in the arched roof of each room, for the admission of light, and 2 small grated windows in the side walls, at their extreme height, and opposite to each other, for ventilating the room. Equal parts of lime and the ashes of *mill* trash, form an impermeable cement, proper for plastering over the roof and side walls of these cells. The French planters use this cement with their water tanks—some of which contain 100,000 gallons. Such cells would have been very acceptable asylums from the pelting of the pitiless storm, on the 11th of August, A. D. 1831.



which a record of each individual's offence and the punishment awarded, should be deposited by the Magistrate, in the vestry archives of each Parish. The facility with which manumissions are now being obtained, by not requiring, as was formerly the case, a deposit in money, for the future support of the liberated, renders it more imperative than ever, that good habits should be established, before the boon of freedom is conferred.

Industry is the primary spring that puts in motion, every latent impulse in the social fabric. This all subduing quality,—when it is united to that firmness of purpose which is designated perseverance,—is by our plantation training of the young slaves, already established amongst them. Knowledge,\* which is

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\* Candor compels me to remark, that although educating the slaves has commenced, yet it is not as universally in operation, in my opinion, as it may be. When we reflect that it is not the light of knowledge, but the glimmerings of it, and therefore bewilderings, which prove an *ignis-faturns* to the ignorant, we should use all the means in our power to instruct the slaves. Cunning and treachery, which generally proceed from want of capacity, are instincts in savage and uneducated men—

“Dark suspicion clouds  
Their low’ring visage, and deceit perverts  
Their faltering speech.”

The immediate view of punishment, or the near pres-



being diffused rapidly and generally through all ranks of the coloured inhabi-

pect of evil, striking their senses may restrain their emotions—and *constrain* their actions, but without education there can be no *principles* of morals in men.

It is the slave owner's interest, therefore, to encrease the capacity of his slave's understanding, by education, to *qualify* him to arrive at fixed rules for his moral government, which when attained, will in their consequent results, benefit his master. The managers of estates, particularly, have it peculiarly in their power to encourage and promote the acquisition of that portion of instruction, which in the present stage of the slave's position in society it is necessary for him to possess, namely—that instruction which will teach him to read. Generally on estates one hour, as "breakfast time," is allowed the people. In a quarter of an hour an alderman might gorge himself. Instead therefore of the remainder of the hour being passed in listlessness, the infant and adult slaves, comprised in the 3rd and 4th gangs, should be taught to read by one or more of their associates, who had, by previous instruction, learned to read his Bible. A bonnet presented to the girl (her parents are able and will readily furnish the shoes under this regulation), on a festival day to go to Church in, and a hat to the boy, who may be the best reader, at an examination by the Rector of the Parish when convenient to him to hold it, would wonderfully accelerate the *work* and *object* of education. Managers and all others in authority over the slaves, should occasionally ("upon line," and when all the gangs are present,) point out to offenders, the faults they had committed, and the consequences that had, would or may result from them, in order to exercise and improve their reflective faculty. I shall close this note with the observations of an eminent writer on education, which I am of opinion are well adapted, when practiced, to improve the bond and free of all grades.

"The time which we usually bestow on the instruction of our children in principles, the reasons of which they do not understand, is worse than lost; it is teaching them to resign their faculties to authority; it is improving their *memories*, instead of



tants of the West Indies,—will superinduce and impart the firmness of purpose required to wind up the spring to the greatest momentum of its propelling power.

Remove, then, the excitement of corporal punishment, from which, unnatural stimulus, arises the *vis-inertiæ* in slavery ;—create, by *qualifying* the slave for the attainment of it, a moral inducement in *him* to labor,—the bettering of his condition. It is this *motive* in an humble and severe lot which induces men to practice patience and frugality,—of which, the former renders the hardest condition tolerable, and the latter draws ease from penury. It is this *motive* which produces industry upon *principle*, in contradistinction to the labor of slaves, when, extracted by a mechanical stimulus ;—it is this *motive*, which aiming at a *successful* exertion of abilities first

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their *understandings*; it is giving them *credulity instead of knowledge*: whereas, if we assisted them in making experiments on themselves, induced them to attend to the consequence of every action, to adjust their little deviations, and fairly and freely to exercise their powers, they would collect facts which nothing could controvert. These facts they would deposit in their memories as in secure and eternal treasures; they would be material, for reflection, and in time be formed into principles of conduct which no circumstances or temptation could remove. This would be a method of forming a man who would answer the *end* of his being, and make himself and others happy.”



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makes men useful, even to their superiors, and, lastly raises them to trust and affluence.

Thus will those who are placed at this time, in an inferior sphere, *urged* by their *necessities*, or *stimulated* by a *laudable* ambition, make constant efforts to rise, watching every favorable opportunity of success, and will, silently, climb the steep, from which no man should be excluded by the confederation of many,

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ERRATUM.

In the Title-Page, instead of

“ Restricting it to Slave Women only,

“ By the decision of a Magistrate,”

it should have been printed

Restricting it to Slave Women,

Only by the decision of a Magistrate.